

Remarks

Claims 1-8 are pending and stand rejected as obvious under 35 U.S.C. §103.

Claim 1 is directed to a method for governing motion of a combination of a dynamically balanced transporter which in part requires: “a.) coupling the carrier to the dynamically balanced transporter with a pivot, the pivot characterized by a pivot axis; b.) tilting the transporter in a direction of desired motion; and c.) governing motion of the combination of transporter and carrier in response to the tilt of the transporter.”

The previous Office action implicitly concedes that such an arrangement is not taught or suggested by any single prior reference, but instead asserts that the claimed arrangement would be obvious to one of ordinary skill from the teachings of two different references, Kurschat and Malick. The Examiner contends that one of ordinary skill would find it obvious to adapt the wheelchair and trailer arrangement described by Kurschat to use a motorized unicycle as described by Malick. Applicants respectfully disagree.

The present application makes clear that successfully attaching a trailer carrier to a dynamically stabilized transporter involves understanding and addressing multiple issues and interactions which go well beyond simply hooking part A onto part B. For example, on page 1, lines 20-23, the present application describes the problems arising from extraneous nonlinear torques presented by coupling a trailer to a dynamically stabilized transporter “in an arbitrary manner” and which “would present an obstacle to stable control of the transporter.” Neither Kurschat nor Malick recognizes such an issue, and neither provides any teaching or suggestion to one of ordinary skill to overcome the problem. And neither reference suggests an approach for overcoming the effects of such extraneous nonlinear torques that can be created by simple

coupling of a trailer to a dynamically balanced transporter such as the solution provided in the detailed description of the present application starting on page 9, at line 11, which explains that “any component of force exerted by the carrier on the transporter that is transverse to the vertical direction must be minimized or particularly accounted for the control law.” Continuing on from that point in the specification, the present application then describes one specific arrangement to satisfy such design constraints, which once again, are entirely unrecognized by either Kurschat or Malick.

Thus, neither Kurschat nor Malick provide an enabling disclosure that would allow one of ordinary skill to couple a trailer carrier to a dynamically stabilized transporter as required by claim 1. Accordingly, the combination of those two references fails to make a prima facie case of obviousness, and claim 1 is allowable. *See MPEP 2121.01; Elan Pharm., Inc. v. Mayo Foundation for Medical and Education Research*, 346 F.3d 1051, 1054, 68 USPQ2d 1373, 1376 (Fed. Cir. 2003); *In re Donohue*, 766 F.2d 531, 226 USPQ 619 (Fed. Cir. 1985). Claims 2-8 depend from claim 1 and are allowable for the same reasons.

Conclusion

Applicants believe that no extension of time is required; however, this conditional petition is made to provide for the possibility that the applicants have inadvertently overlooked the need for an extension of time. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972.

It is submitted that all the claim rejections have been addressed and that all of the pending claims are now in a condition for allowance. Reconsideration of the application and issuance of a

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notice of allowance are respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call applicants' attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JS', is written over a horizontal line.

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